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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 TRACY A. GORMLEY,

12 Plaintiff,

13 v.

14 CAROLYN W. COLVIN, Acting
15 Commissioner of the Social Security
16 Administration,

17 Defendant.

18 CASE NO. 15-cv-05257 JRC

19 ORDER ON STIPULATED MOTION
20 FOR EQUAL ACCESS TO JUSTICE
21 ACT FEES AND EXPENSES

22 This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local
23 Magistrate Judge Rule MJR 13 (*see also* Notice of Initial Assignment to a U.S. Magistrate Judge
24 and Consent Form, Dkt. 5; Consent to Proceed Before a United States Magistrate Judge, Dkt. 6).
25 This matter is before the Court on plaintiff's Stipulated Motion for Equal Access to Justice Act
26 Fees and Expenses (*see* Dkt. 26).

27 Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, ("EAJA"), the stipulation of
28 the parties (*see* Dkt. 26), the attorney declaration and time and expense itemizations (Dkt. 26,
29 Attachments 2, 3), and the relevant record, it is hereby ORDERED that EAJA attorney's fees of

1 \$7,366.47 and expenses in the amount of \$6.19, shall be awarded to plaintiff pursuant to the
2 EAJA and consistent with *Astrue v. Ratliff*, 130 S.Ct. 2521, 2524, 2010 U.S. LEXIS 4763 at
3 ***6-***7 (2010).

4 The Acting Commissioner agrees to contact the Department of Treasury after the Order
5 for EAJA fees and expenses is entered to determine if the EAJA fees and expenses are subject to
6 any offset. If it is determined that plaintiff's EAJA fees and expenses are not subject to any
7 offset allowed pursuant to the Department of the Treasury's Offset Program, then the check for
8 EAJA fees and expenses shall be made payable to Eitan Kassel Yanich, Esq., based on plaintiff's
9 assignment of these amounts to plaintiff's attorney (*see* Plaintiff's Declaration Regarding Net
10 Worth and Payment of EAJA Fees, Dkt. 23). If there is an offset, the remainder shall be made
11 payable to plaintiff, based on the practice of the Department of the Treasury (*see, e.g.*, Case No.
12 2:15-cv-122, Dkt. 22, p. 4). Payment for EAJA fees and expenses shall be by direct deposit or by
13 check mailed to plaintiff's counsel, Eitan Kassel Yanich, Esq., at Law Office of Eitan Kassel
14 Yanich, PLLC, 203 Fourth Avenue E., Suite 321, Olympia, WA 98501.

15 Dated this 10th day of June, 2016.

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18 J. Richard Creatura
19 United States Magistrate Judge
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